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El Derecho a No Migrar: Mexico's Colonialism and the Forced Displacement of the Ñuu Savi

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El Derecho a No Migrar: Mexico's Colonialism and the Forced Displacement of the Ñuu Savi

by

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Report

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Dedication

Para Alfonsa Gomez.

Acknowledgements

In May 2015, while I was in San Juan, Puerto Rico, I received news that my grandmother Alfonsa Gomez had passed away in our town of San Francisco Higos. My grandmother dreamed I would get a college degree. She used to tell me I'd become "a man of letters," a man that would write about the world. She didn't want me endure hard labor in order to survive. She didn't want me work in the fields as she did. My grandmother's dream has inspired this work.

Throughout my life, my grandmother would tell me stories about her migrations to northern Mexico. Because of these stories, I learned about the complexity of migrations long before reading books. And so I would like to acknowledge her guidance, her support, and her dream.

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presented the same section in a conference organized by the UT Austin's Institute of Latin American Studies Student Association (ILASSA). I also presented other parts of the paper in the New Directions in Anthropology Conference at UT Austin. Thank you, everyone, for your comments and feedback.

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Abstract

El Derecho a No Migrar: Mexico's Colonialism and the Forced Displacement of the Ñuu Savi

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The emergent field of Mexican indigenous migration studies has focused on remittances, hometown associations, cultural reproduction, and identity formation in the U.S.-Mexico borderlands. In my project, I contribute to the work of indigenous migration studies by analyzing and contesting the Mexican Nation's State hegemony. Mexico's political and economic structures have systematically caused the forced displacement of Ñuu Savi (Mixtec) people from *their land* in Oaxaca, Mexico. Through a historical analysis, I explore the Porfirian period (1876-1910), as it instigated land dispossession, initiated government projects against indigenous communities, and forced indigenous people to become laborers for hacienda plantations. Then, I examine the agrarian reform government initiatives of 1915 and their implementation during the Lázaro Cárdenas Administration (1934-1940). Drawing from literature reviews and policy analysis, I contend that indigenous people from Mexico now living in the United States were forced to out-migrate because of Mexico's colonial, racial, and ethnic policies towards indigenous people, policies that negated their right not to migrate.

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Chapter 1: Introduction

In this paper, I review Mexico's colonial political, social, and economic structures from 1876 to 1955 that have led to the forced displacement of the Ñuu Savi[1] from their land and forced them to migrate to different regions of Mexico. The Ñuu Savi have inhabited the territory positioned within what is now known as the states of Oaxaca, Guerrero, and Puebla.

Previous research on Mexican indigenous migration studies focused on what Michael Kearney (1989) coined "Mixtec Transnationalism," which contended it was caused by the neoliberal turn of global capitalism. Subsequently, Lynn Stephen (2007) argued for the use of "transborder lives" to describe the different gender, ethnic, and class borders indigenous migrants cross in Mexico and the United States. However, it is crucial to look back at certain moments in history when indigenous people have preferred and claimed the *right to stay home*. In order to examine the right of indigenous people to not migrate, it is first necessary to review the history of migration of the Ñuu Savi, before the neoliberal turn of global capitalism. Consequently, my analysis begins in 1876 in the Porfirian Period and ends in 1955 after Miguel Aleman's agrarian restructuring. During this period, I examine the key policies and colonial structural motives that caused Ñuu Savi displacement within Mexico. This period is key to understanding the Mexican State's role in causing the displacement of the Ñuu Savi and other indigenous peoples.

[1] "Mixtec" originates from Nahuatl, the language of the Mexica Empire. I often use Ñuu Savi because it is

I begin by setting forth a discussion on the *forced* displacement of indigenous peoples. The violence of this displacement has become normalized within Mexican migration studies and framed under the master narrative that all migrations are voluntary (Delgado Wise 2013). The normalization of indigenous displacement within a voluntary migration framework has rationalized this migration as a natural process of capitalist financial expansion, while at the same time ignoring or downplaying historical structural forms of oppression. If Ñuu Savi displacement continues to be framed as "voluntary migration," their structural oppression will continue to be normalized. Multinational agricultural corporations, for example, profit from normalization theories that fail to explore the role of state policies in promoting forced migration and creating financial gains for corporations. Another reason for an analysis on forced displacement is the crucial and critical understanding such a framework advances in understanding the formation of indigenous communities within the United States. That is, exploring how indigenous people are forced to migrate provides a window into understanding how they reconstitute their communities and their lives in a new country such as the United States, and how they negotiate their identities in a context where they experience collective trauma. I explore this theme in my positionality section in this paper, where I discuss my political and academic involvement as a migrant Ñuu Savi intellectual.

To push for a discussion of the forced displacement of indigenous migrants, I center the concept of *el derecho a no migrar*, a term introduced by indigenous political organizers in the Mixteca region of Oaxaca, Mexico, such as Rufino Domínguez Santos. *El derecho a no migrar* questions the Mexican nation's premise of citizenship and equal

rights allegedly enjoyed by all Mexicans. The concept is also an epistemological intervention against the oppressive colonial history indigenous people have been subjected to by the Mexican nation state.

I set forth a forced displacement framework of migration in relation to *el derecho a no migrar* of Ñuu Savi peoples in order to interrogate Mexico's internal colonialism. I define Mexico's internal colonialism as a historical process in which the Mexican state incorporates the Ñuu Savi territory and people into the national hegemony[2]. This process occurs through the dispossession and commodification of land by agrarian policy, as well as the commodification of Ñuu Savi bodies as disposable migrant indigenous laborers. Mexico's internal colonialism is demonstrated through the development of haciendas as places/spaces of labor exploitation and the territorial displacement of indigenous bodies to serve the structure of hegemonic power. The prime epoch of haciendas and their political, economic, and social influence is visible during the Porfirian era (1876-1910), when Mexican internal colonialism was imposed for the achievement of capitalist expansion and modernity.

To demonstrate colonial continuity in Mexico, I review the agrarian rule of 1915 as part of the Mexican Constitution of 1917 and its implementation during the Lázaro Cárdenas administration (1934-1940). I demonstrate how state land policy reforms following the Mexican Revolution did appropriately compensate Ñuu Savi communities

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[2] Based on Antonio Gramsci, I refer to hegemony as the domination of a social class or group. My use of hegemony refers to dominant politics, culture, and ideologies. *See The Antonio Gramsci Reader, page 423.*

for the land they had lost over the years of Spanish colonial rule, and thus provoked agrarian conflicts (which have lasted until this day) within the Mixtec region of Oaxaca. The state commodification of land differs from Ñuu Savi conceptualizations of land, territory, and territoriality. Exploring this difference demonstrates how the state machinery, by imposing its colonial epistemologies, devastated the Mixtec region.

I then analyze the "counter-reforms" implemented by the administration of Miguel Alemán in the nation's agrarian laws, under Article 27 of the Mexican Constitution (1946-1952), and examine how these counter-reforms increased the industrialization and foreign investment in northern Mexico's agriculture sector. The agrarian reform in the post-revolutionary period had introduced capitalist industrial expansion in the north of Mexico, permitted through foreign investments in Mexican agriculture and state reformation of constitutional law. Under Alemán's administration, agricultural employers hired indigenous laborers through the *enganche* system, a method used by capitalist investors to acquire cheap labor. The *enganche* system was a common method used in the Porfirian era to seduce and, at times, kidnap people to work, and it eventually became common in the Mixtec region.

Mexican agrarian reforms have caused violence in indigenous communities since the Spanish colonial period, when some state land regulations were first introduced. Moreover, state perceptions of land as commodity contradict indigenous communities' relations with land. Indigenous peoples' communal land shapes social, economic, and political organization. The agrarian reform of post-revolution Mexico, such as the "counter reforms" of Miguel Alemán, continued colonial mechanisms of imposing new

social and economic structures on indigenous communities. The colonial mechanisms of agrarian reforms have been fundamental in shaping forced displacement.

Finally, I argue that historically the migration of the Ñuu Savi people has not been voluntary. I illustrate that their migration has been forced and manipulated by the colonial Mexican state and capitalist expansion.

ACADEMIC POSITION: GENDER, SEXUALITY, AND COMMUNITY

To write about *El Derecho a No Migrar* as an anthropologist and academic, I have to position myself. My reflexivity emanates from being Ñuu Savi, migrant, queer, and a cisgender man. Donna Haraway's (1988) concept of situated knowledges refers to the ability to do research while acknowledging our positionality as researchers. According to Haraway, *positionality* is "the key practice grounding knowledge because position indicates the kind of power that enabled a certain kind of knowledge" (Haraway in Rose 1997, 307). Also, *reflexivity,* in terms of fieldwork, "implies analysis of the ways that ethnographic knowledge is shaped by the shifting, contextual, and relational contours of the researcher's social identity and positionality" (Nagar and Geiger 2007). This refers to the researcher's self-reflection on his/her position in terms of class, race, gender, and sexuality in relation to the people being researched. I am interested in positionality as a critical concept of reflexivity. I find it important to position myself in my research because my experience as a migrant and indigenous person has influenced my political beliefs and academic objectives.

I migrated from the Ñuu Savi region of Oaxaca, Mexico, to Oxnard, California, when I was eleven years old. My experience growing up in Oxnard influenced my

research interests in racism, sexism, and indigenous resistance. I grew up watching documentaries of the EZLN (Zapatista National Liberation Army) and the APPO (Asamblea Popular de los Pueblos de Oaxaca) rebellions. By watching these documentaries, I learned about late Comandanta Ramona, the Zapatista woman who fought for the recognition of indigenous women's rights. I also learned about Bety Cariño, the Ñuu Savi organizer murdered in Copala, a Triqui community in Oaxaca. Their stories taught me many lessons, but also came to influence my sexuality, my views on gender, my community sentiments, and my indigenous identity. These stories politicized me; they helped me understand my position as a queer man and indigenous community member in the United States.

I grew up in the outskirts of Oxnard, California, where from early morning through the evening, men and women bend over picking fresh fruit by the 101 Freeway, the highway running all the way along the Pacific coast. They wear hoodie sweaters, and bandanas cover their faces. Women also cover the front of their bodies with a second sweater so that men will not harass them with their eyes when they bend over. Oftentimes during the peak of the strawberry harvest season, *te cobran por la caja.* Each box of strawberries became a form of currency as their paycheck depended on how many boxes of strawberries they completed. I would hear my cousins refer to working in the fields as *trabajo de esclavo*, slave work. Oftentimes when I see human bodies in those strawberry fields from the car, I am reminded that my mother is one of them somewhere in the outskirts of Oxnard, *en otro rancho*, and I am reminded of how my grandmother once picked cotton and cut sugar cane in fields in Mexico during the 1940s and 1950s. These

memories of my mother and grandmother working in the agricultural fields lead me to question, “If we as native people are caught up in an economic structure, is it really possible that we are *esclavos*, slaves of history and our destiny?” In my case the labor in the fields appeared to be my future reality, but my mother challenged my destiny. My mother gave me two options in life: to work or to study, to go to the fields or go to college.

My earliest intellectual endeavors have been when, since six years old, I would sit on my grandmother's’ lap under the *chirimoya* tree in the afternoons when she would tell me stories about her migrations to northern Mexico. She would tell me how her employers called her *india,* stories about how she would work hard to take care of her children. She would also tell me about her complicated relationship with her husband, my grandfather. One summer while I was writing my undergraduate thesis, I conversed with my grandmother in my aunt’s house in Oxnard, in *la colonia* near Rose Avenue. My grandma, or mamá as I called her, a woman in her 90s, told me her life stories. She confided that before *el norte*, the United States, there was Veracruz, where she cut sugar cane; and there was also Matamoros, Tamaulipas, where she picked cotton. She used her hands to demonstrate how she carefully picked cotton so that the pointy shells didn’t get under her fingernails, because it hurt if they did. It was bloody, she said. There was also Culiacán, where she picked tomatoes with her children, including her youngest child, my mother, who has told me that she has been working as long as she can remember. All that work, in Veracruz, Tamaulipas, and Sinaloa, my grandmother would say: *era trabajo del Diablo*. It was the devil’s work; only the devil can do that type of work. In Veracruz, her

husband, my grandfather, would collect *La Raya*, the payment, and he would control the money. *Ese diantre* (That scoundrel), she said. He would often get drunk with the money earned from her labor. *Ese diantre*, I always remember her curse his name in tuundavi (Mixteco). She would say: *se'e riña, ese hijo del Diablo*, *que bueno que se fue pa' lante,* good thing he died first. My grandmother also told me more than once that to be an *india* is to be in pain, to be poor. She didn't want my brothers and me to be *indios* because she didn't want us to make a living out of hard labor; she wanted the best possible living for us. I constantly struggle to understand her experience when I call myself indigenous, because I am not only defined by my blood and language, but also by memories that have made me resilient. At times these memories have led me to curse and denounce the injustice my family experienced, while on the other hand they have taught me that I have agency.

I position myself, not to victimize my body, but rather to use my sentiments, which are rooted in structural oppression, as epistemological tools to contest structural power (Haraway 1988). I write worrying about the future of indigenous migrant people in the United States and Mexico, specifically the Ñuu Savi who have been displaced. Indigenous communities are in crisis and their identities are at crossroads. I ponder whether their identities will be shaped by their histories of oppression, or if they will find future opportunities that will give them a sense of freedom. This leads me to other reflections that are often neglected by researchers when they write about indigenous migrants. I reflect, for instance, on the power that dreams and illusions give people to forge a different future.

I ask, what is our future as Ñuu Savi communities displaced throughout the United States? It is important that we as displaced indigenous people, contest and question notions of nationalisms, identities, and institutional limitations. These questions make us interrogate our subjectivities and critically analyze our lives. As a Zapotec woman once said: "We are not Mexican and we are not Indian, we are Zapotec." I reframe her claim and say: " I am not American, I am not Mexican, I am not an indio, I am a Ñuu Savi." I, as a Ñuu Savi person living in displacement, a person with strong familial ties to community land in the Mixtec region, believe it is important to make sense of our lives beyond state, legal, and institutional categories. We as indigenous people must embark upon political critique and dialogues and be in constant struggle to maintain relations to our specific communities.

Many indigenous people from Mexico living in the United States are still members of their communities's social networks despite displacement, especially future generations born and raised in the United States. In fact, many of us are now part of academic and professional spaces. As we move towards new identity formations, political activism, and transnational communality, I fear we forget why and how we got to the United States. We often fall into cultural essentialisms and we fail to point out and challenge racist Mexican policies that adversely affect indigenous people, such as the North American Free Trade Agreement (NAFTA).

Within transnational/transborder social organizations, it is important to set forth notions and discussions of displacement and refugee politics when talking about indigenous migration and nation states. We are here in the United States not because we

want to be but because we are forced to be here. It is important to question national and global politics that forced the movement of our families and communities, especially the global capitalism in which the United States has played a crucial role. We displaced indigenous peoples belong to no nation state. The United States and Mexico are colonial nation states that value modernity and capitalist expansion, not our lives.

It is important to acknowledge that we have duties that are beyond state institutions. We have duties to struggles beyond voting rights in the United States and Mexico; we have the duty to maintain our land, language, and communality. We have the duty to maintain *tequios* and *cargos*. We are in a critical stance when the absence of people in our communities is indicative of the growth and expansion of the *cacique* system, a system that emerged during the Spanish colonial period in which the wealthy and powerful appropriated and monopolized the local natural resources for profit, and then created a political process to legitimize their governance over these resources.

We are also bound to question and challenge gender and sexuality mores within our indigenous communities. We have the obligation to change or reform traditional laws that limit the participation of women and queer/joto-identified people. We have to engage in what Aymara lesbian feminist Julieta Paredes calls "communal feminism," in which we as people struggle for gender and sexual equality within our indigenous communities (Paredes 2015, 230). We have the duty to ask for voting rights as members of our communities, regardless of the nation state we live in. I long for the day in which my nieces can become *agentes municipales* (municipal leaders). I dream of the day when children are no longer shamed for speaking tuundavi (Mixteco). I long for the day I see

my children become politically active defending community land. I dream of the day we will have trilingual schools in our communities and I long for the day when indigenous people will take over their educational institutions and terminate the Western, colonial style education taught in their lands. As a Ñuu Savi organizer, mujer, and feminist, Bety Cariño (2010) stated in her speech in Dublin, Ireland:

> *En México se sigue negando a los pueblos originarios el derecho a la autonomía. El derecho a existir y nosotras hoy queremos vivir otra historia. Nos rebelamos y decimos basta, hoy aquí queremos decirles que nos tienen miedo porque no les tenemos miedo porque a pesar de sus amenazas y sus calumnias, de sus hostigamientos seguimos caminando hacia un sol que pensamos brilla con fuerza, pensamos que se acerca el tiempo de nosotros los pueblos, el tiempo de las mujeres insumisas, y el tiempo de los pueblos de abajo. La larga noche de los quinientos años aún no termina…queremos construir un mundo con justicia y dignidad, sin ningún tipo de discriminación, hoy nosotras empujamos un profundo y extenso proceso de organización, movilización, análisis, discusión y consenso que nos ayude a construir un mundo donde quepan muchos mundos. Nosotros y nosotras somos el resultado de muchas luchas. Llevamos en la sangre la herencia guerrera de nuestras abuelas, nuestras raíces no los exigen, y nuestras hijas nos lo gritan. Hermanos/hermanas, abramos el corazón como una flor que espera el rayo de sol por las mañanas. Sembremos sueños y cosechemos esperanzas.*

> Mexico still refuses indigenous people the right to autonomy. The right to exist. Today, we want to live a different history. We rebel and say enough. Here today, I want to tell you that they are afraid of us because we are not afraid of them. Despite their threats, slander, and their harassment, we walk towards a sun that shines brightly. It is the time for our communities, the time of no submissive women and the time of the people from below. The long night of five hundred years is not over ... We want to build a world with justice and dignity. Without any form of discrimination. Today we pushed deep an extensive process of organization, mobilization, analysis, discussion and consensus to help us build a world where many worlds fit. We are the result of many struggles. We have the warrior legacy of our grandmothers in our blood. Our roots do require it and our daughters shout for it. Brothers and sisters, let us open our hearts like a flower waiting for the sunshine in the morning. We sow and reap hopes and dreams.

Cariño accuses the Mexican state of oppressing indigenous people and denying them their autonomy through threats, slander, and harassment. Yet despite that, Cariño dares to dream and hope for a future in which communities define their destiny through careful analysis and consideration of their path. A few months after her speech, Bety Cariño was assassinated by Mexican paramilitaries in April 2010. She died in the Triqui community of San Juan Copala when she was a visiting. The community of San Juan Copala was organizing to reform local politics. The murder of Bety Cariño tells us that in

Mexico, we indigenous people cannot dream, we cannot rebel against injustice because otherwise the state will silence us. In Mexico, we indigenous people are not free, we are oppressed, we are colonized. Her speech impacts me emotionally because I share the same anger, dreams, and collective trauma.

FORCED MIGRATION IN CONTEXT

In June 2008, there was a meeting of two hundred Ñuu Savi, Triqui, and Zapotec people in the city of Juxtlahuaca, Oaxaca, Mexico. One of the main themes of the meeting was the dialogue about the right not to migrate (Bacon 2008). Many of the people in this meeting come from communities that are economically dependent remittances from migrants in the United States. According to the United Nations, in Oaxaca, where more than half of the population identifies as indigenous, 75%of the 3.4 million state residents live in extreme poverty (Bacon 2008**)**. This is a result of the Mexican government's austerity projects that cut spending in rural communities and that no longer provide farm aid to small-scale farmers. Ñuu Savi (Mixtec) Rufino Dominguez says: "There are no jobs here, and NAFTA (the North American Free Trade Agreement) made the price of corn so low that it's not economically possible to plant a crop anymore (Dominguez in Bacon, 2008)." Neoliberal agricultural policies under NAFTA created the conditions that have forced Ñuu Savi people to live in poverty. The Ñuu Savi people have been unable to raise money from farming, and therefore they have been forced to seek employment outside their communities. Essentially, they have been forced to migrate.

The migratory movement the Ñuu Savi people experienced during the neoliberal era is *forced* because it is conditioned by global and domestic political economic policies. According to Mexican scholar Raul Delgado-Wise (2013), the dominant discourses in migration studies neglect to examine the economic and political structures and circumstances that force people to migrate. Delgado Wise calls upon researchers to develop new approaches. He proposes that migration should be studied as "forced migration" caused by neoliberal policies. He identifies the following manifestations of neoliberalism that cause migration: (1) violence, conflict, and catastrophe; (2) human trafficking and smuggling; and (3) migration due to dispossession, exclusion, and unemployment (Delgado-Wise 2013, 435).

Delgado Wise's intervention informs us that migration is an outcome of violent social, economic, and political processes. Often, the reason people migrate is to escape violence, conflict, and catastrophe. The 2008 meeting about *El derecho a no migrar* demonstrated that indigenous people migrate because neoliberal government policies do not benefit their economic subsistence. People move to escape the poverty caused by such policies. Moreover, violence and conflict are also present in the Mixtec region. Land reforms have increased confrontations between communities that have sometimes led to death. These conflicts have been carried out over multiple generations. Therefore, Raul Delgado-Wise's approach on forced displacement during the neoliberal era is also applicable to indigenous people in the Mixtec region.

Alexander Betts (2014**)** explicates the mechanisms of forced migration. He argues that forced migration is mutually dependent on the nation-state system. That is, the

unwillingness and inability of the country of origin to protect its citizens provokes the need for international protection. Betts argues that forced migration is indicative of a broken state system in which the government is unable to produce employment or economic assistance to people so that they can create a livelihood for themselves. Although I agree with Betts that the state is responsible for these mechanisms of forced migration, I believe that the state also relies upon marginalization as an essential characteristic of hegemony. A nation state, as any hegemony, builds upon the oppression of the subaltern to sustain its power. This is demonstrated clearly by the Mexican state.

The Mexican state is founded upon a colonial social structure that protects the social interests of the elite and reproduces the oppression of the poor. Because indigenous people are overwhelmingly part of the working class, state policies that protect the interests of the elite have consistently led to the economic oppression of indigenous communities. That is to say, although over the years the Mexican State has changed economic and political policies and has undergone revolutions and revolts, the dominant social structure has been maintained. The hegemonic perspective held by elites since colonial times holds that indigenous communities are poor because of their internal problems. The bourgeois class in Mexico thus rationalizes its dominance in the social hierarchy by blaming the poor, including indigenous communities, for their lack of socioeconomic mobility and prosperity in the nation state. The history of Mexican State formation, therefore, can be described as the result of *passive revolutions,* a term coined by Antonio Gramsci to describe the apparent modification of the state and social institutions without the revocation of power from the dominant elite (Morton 2013). By

reviewing the problematics of agrarian reform policies following the Mexican Revolution, I frame the displacement of indigenous people as the outcome of this passive revolution. Indigenous peoples have been historically exploited by the Mexican state when they are not treated as citizens deserving of political rights.

The discussion of citizenship and indigenous communities in Mexico is complex. Every person born in a nation-state is a citizen of the nation. However, the citizenship of indigenous peoples in a nation state like Mexico is problematic because they have juridical citizenship, yet they are not given the political access necessary to be part of the political apparatus. Like other Latin American countries, Mexico, after obtaining independence from Spain in 1821, emerged as a hierarchical society where the elite maintained hegemonic power. Spain's racial hierarchy remained relatively undisturbed, giving mestizos and indigenous people social mobility only if they adopted the culture and practices of the governing *criollos*, the descendants of the Spanish. In the case of indigenous communities who retained their collectivities, the new government ruled by criollos and acculturated mestizos positioned them as subaltern communities. In theory, indigenous peoples who were members of indigenous communities were ascribed citizenship rights, but in practice, they were denied the agency to be part of the nation's governance structure. Indigenous communities were seldom allowed or invited to participate in the development of the nation's constitution and laws. The post-colonial Mexican nation state, therefore, emerged by imposing citizenship with the presumption that every Mexican has equal rights, but denying the benefits of citizenship to subaltern communities.

Mexican citizenship for indigenous people mirrors an internal colonial relationship. The Mexican state has denied citizenship rights to indigenous communities that acknowledge their culture and excluded them from Mexican civil society because of their race, language, and culture. The state has also assisted the social construction of indigenous bodies as cheap labor commodities, demonstrated by the racialization of the Mixteca region as the "factory of peons" where corporations are encouraged to seek agricultural laborers. The construction of the Ñuu Savi as a cheap agricultural labor force parallels the state's violation of *el derecho a no migrar* and creates internal colonialism.

If indigenous migrant people were to be true citizens of the Mexican nation, the state would protect their rights of self-determination as indigenous peoples and the right not to migrate, *el derecho a no migrar*. Therefore, I question the nation state's promise of "equal rights" to all its citizens, and consider this to be the hegemonic myth of a colonial nation.

EL DERECHO A NO MIGRAR

El derecho a no migrar is a call for justice beyond the state and its legal courtrooms. The "rights" of indigenous people I explore in this paper are not the same as what national and international institutions conceptualize as "rights." These institutions often neglect colonial mechanisms in contemporary human relations. The United Nations, for instance, in their declaration of indigenous rights in relation to forced removal does not take into account historical migrations. The United Nations declaration is a typical example of how national and international institutions, such as academia and

nonprofit organizations, have defined "rights." For instance, article 10 of the United Nations declaration on the rights of indigenous peoples states:

> Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return**. (**United Nations Declaration, Article 10**)**

The concept of "forced removal" in the discourse of rights is limited. It does not take into account the process of forced displacement throughout history. Historical colonial processes have profound impacts on contemporary inequalities. For instance, the forced migration of the Ñuu Savi is a historical process conditioned by state policies. El *derecho a no migrar* is an appropriation and reinterpretation of human rights discourse that claims justice beyond the United Nations (Speed 2008, 19). The call for *el derecho a no migrar* comes from the historical memory of indigenous peoples who remember the days they had to migrate to survive, the memories that often are filled with stories of gender, racial, and sexual violence.

El derecho a no migrar is an epistemological and political protest from the subaltern[3]. Indigenous migrant people define the "right" I am putting forth. *El derecho a*

[3] Subaltern refers to those that are not "completely part of the state." The subalterns are socially constructed by economic production, pre-colonial history, affiliation with political formations, and the emergence of new dominant groups.

See Selection of the Prison notebooks, page 52

no migrar is part of the epistemology of the "other" and it comes from the voice and experience of subaltern oppressed peoples.

The right not to migrate is a rupture of Mexican nationalism through the lives and memories of ordinary indigenous migrant peoples living in the United States. To claim the right not to migrate is to claim the right to live as humans, the right to live and die in the land they inhabited for all their lives. *El derecho a no migrar* is the right to stay in the land where affective relationships, senses, and epistemologies are created. When people remember the *pueblo*, through their ordinary practices such as *fiestas, bailes, y bandas*, that is when the right not to migrate is claimed.

The right not to migrate is constantly claimed through ordinary practice of communality in the United States and Mexico. Indigenous people remember their past and hope to return to the land and the community where their ancestors were born. The right not to migrate is the right to maintain and reproduce indigenous peoples' social and political structures. To claim the right not to migrate is to maintain communality, and the community's relationship with the land and territoriality. Displaced people proclaim the right not to migrate by remembering the land, the pueblo, and the people. Therefore the right not to migrate is beyond codified law, but it is established and claimed through the ordinary lives of indigenous migrants in Mexico and the United States.

Chapter 2: Ñuu Savi/Mixtec Migration Studies

By 1990s, more than 50,000 Ñuu Savi had migrated to California from 203 communities in Oaxaca, Mexico (Kearney 2000, 179). Ñuu Savi migration was not only driven by social exclusion from the Mexican State but also forced by neoliberal economic structures. Laura Velasco Ortiz (2005), for example, explains unequal land redistribution after the Mexican Revolution. One of the main goals of the Mexican Revolution was to redistribute land to communities in rural Mexico, and so several agrarian reforms were implemented throughout the 20th century. In the Mixtec region, land was not redistributed equally (Velasco 2005). According to Velasco, the Mixtec region received only 8.7 percent of the land they had historically owned. The Ñuu Savi peoples received less than .58 hectares, the lowest allocation in the state of Oaxaca. Private estates owned by non-Ñuu Savi, however, were higher than average in the state. Land grants turned out to be one of the many economic pitfalls created by the Mexican State for indigenous communities.

Mexican's industrialization of agriculture was another one of the economic factors that influenced forced migration. Mexican industrialization overlaid an economic structure based on agriculture. This increased industry in northern regions thus attracted people from rural areas (Velasco 2005). In her book *Transborder Lives: Indigenous Oaxacans in Mexico, California, and Oregon*, Lynn Stephen (2007) describes the first migration experiences of Ñuu Savi workers. According to the literature reviewed by

Stephen, *enganchadores* (labor contractors and intermediaries) played a major role in persuading Mixtec people to migrate. For instance, community members of San Agustin Atenango were recruited by *enganchadores* to produce coffee and sugar cane in the Mexican state of Veracruz in the 1930s. These labor contractors, sent by agricultural corporations specifically to hire indigenous workers, recruited people through verbal agreements and advanced workers' pay so that they could leave money for their family. Ten years later, as part of the Bracero Program, the *enganchadero* system was still practiced. Indigenous migrants were already migrant workers within Mexico, and the Bracero Program permitted workers to head further to the United States. After the end of the Bracero Program in 1964, Mexican labor contractors still recruited Ñuu Savi people to work in Sinaloa harvesting tomatoes, peppers, and other crops.

Sinaloa and other states in northern Mexico expanded their agriculture into what today is called industrial agriculture. This agricultural expansion intensified after the 1940s, when the Mexican state opened its market to foreign investors. According to Stephen, the economic restructuring of Mexico's agricultural industry in the late 20th century created a demand for exploitable workers that was conditioned by the U.S and Mexican governments. In Mexico, labor contractors traveled to Oaxaca to induce people to migrate. Because they were already in precarious conditions, Ñuu Savi people were induced by *enganchadores* to migrate to the north of Mexico to work for large agricultural corporations. Indigenous people were forced to migrate by the Mexican state's open market policies, which induced foreign investments in industrial agricultural

businesses that required a massive supply of cheap labor. Indigenous regions such as Oaxaca were the first to be exploited for cheap labor.

Forced migration is directed and caused by mechanisms of power. These mechanisms are economic, social, and political structures that condition the bodies of indigenous people to be in servitude to a hegemonic system. Ñuu Savi people were conditioned by the mechanisms of the Mexican state even before the state was even constructed. Since colonial times, Ñuu Savi society has been conditioned and restructured by hegemonic structures. In today's modern capitalism following the Mexican Revolution, the Ñuu Savi have been in a position economic, political, and social disadvantage caused by state policies and capitalism. For instance, the social exclusion of indigenous people by the Mexican state created national hegemonic ideologies that supported structural inequality, such as racism, sexism, and patriarchy. Moreover, the failure of the redistribution of land in post-revolutionary Mexico worsened people's poverty in the Ñuu Savi region. At the same time, industrial growth in northern Mexico after the 1940s induced people to migrate to work, maneuvering through *enganchadores* or labor contractors that traveled to the Ñuu Savi region to recruit workers. These structures influenced by global capitalism formed the mechanisms in which Ñuu Savi people had few choices except to migrate. These structures also demonstrate the nation-state's failure to provide for its citizens, thus forcing them to seek employment somewhere else away from their indigenous lands.

In the following chapter, I intend to review the impact of these economic, social, and political structures. I will focus on the economic and political hegemonic constructions of the 20th century in which the Ñuu Savi were forced to migrate.

Chapter 3:

Haciendas and the Porfiriato Hegemony: Citizenship and Colonial Social Norms

The displacement of indigenous people is motivated by structures and social norms shaped by the Mexican state's hegemonic perspectives on citizenship. In order to explain the hegemony of the Mexican state, I study the Porfirian period **(**1876-1910**)** and the development of *haciendas* (estates). Indigenous laborers in haciendas have been displaced from their land since the colonial period and, through liberal policies, have been constructed as "Mexican citizens." The state hoped to integrate indigenous peoples into the modern Mexican nation. Indigenous laborers theoretically were citizens, yet they were treated by the state as disposable bodies whose only worth was to labor for wealthy citizens. The state allowed the *enganche* system to flourish in Mexico and protected the upper class in maintaining this labor system within their haciendas.

Throughout the Porfirian period, the Mixtec region became, as Guadalupe Vargas Montero (1992) terms, "the Mexican Factory of Peons." The Mixtec region became constructed as a racialized place for hacienda labor. The Ñuu Savi of the Mixtec region became a "raw material" that fueled the economic base of the haciendas.

THE HACIENDAS

The haciendas have historically been a symbol of hegemonic social, economic, and political control in Mexico. In these spaces, power relations and dominance are normalized. The literal translation of *haciendas* is "estates," cohesive spaces of

latifundios (plantations), usually controlled by an elite family. The hacienda exploited indigenous bodies after dispossessing them from their lands. José González Rodrigo (1992) describes the development of the hacienda in Mexico after the Spanish invasion in his essay, "De la Conquista a la Reforma Agraria: Tenencia de la Tierra y Manejo de Recursos," where he details the dispossession of indigenous land from the invasion to the Mexican agrarian reform in the beginning of the 20th century. The haciendas were also a cohesive living space for peons, servants, and the bourgeoisie.

González Rodrigo's essay argues that the Spanish invasion led to systematic European control over indigenous land and water for three centuries. This system appropriated land, commodity surplus value, and cheap indigenous labor. Colonial relationships with Spain and the post-independence metropolises profited from this system. For example, by the 16th century, the Texcoco region in the center of Mexico had been converted into haciendas dedicated to the growth of European cereals harvested by "Indian" labor. Other lands were particularly dedicated to herding, which caused soil erosion. By the middle of the 17th century, the Texcoco haciendas, as farming centers, had established a hegemonic economic system lasting until the first two decades of the 20th century. *Hacendados* dispossessed people from their land so they would be converted into peons. The first haciendas developed in the Texcoco region were La Grande, La Chica, Aranjo, La Blanca, El Batan, El Molino de Flores, and Chapingo. Some of these haciendas expanded and appropriated neighboring land, thus displacing indigenous communities. There were two motivations for this appropriation of land: first, the production of the hacienda was for a local market, and thus the only method for the

profit was to eliminate other forms of production; second, the need for cheap labor necessitated displacing people from their lands so that they would not have means to sustain themselves and would be forced to work for the haciendas**.**

The Texcoco hacienda system was expanded through various means. Each estate produced different commodities, such as fruits, vegetables, cattle, metals, etc. According to González Rodrigo, the hacienda system begun in the Texcoco region was replicated throughout Mexico, and the growth of the system accelerated during the Porfirian period, after President Porfirio Díaz took over Mexico's governance in 1876.

LIFE IN THE HACIENDAS: FORMS OF POWER OVER INDIGENOUS BODIES

After being dispossessed from their lands, indigenous people were forced to labor for the haciendas, where they were physically and mentally exploited for profit. For example, Hilda Lagunas Ruiz (2011) explores the work conditions of laborers in the haciendas and ranchos of central Mexico's Toluca district during the 19th and 20th century. The labor force in the haciendas was formed by Matazinclas, Otomi, Mazahua, Nahuas, Ocuitecos and Tlahuicas who had lost their lands and exchanged their work for portions of maize and other foods, small acres of land, a small house to live in, and permission to allow their animals to graze. Their work consisted of harvests, herding, artisans, domestic work, and chauffeuring. Compared to northern haciendas, the Toluca haciendas were relatively small. The biggest one, Hacienda del Carmen, had approximately 120 peons, while the smallest one had sixteen peons. The majority were men, with a few women who worked as cooks, domestic workers, and nannies, the

majority of them ages 16-60. They worked ten to fourteen hours a day with salaries dependent on their relationship with their employer.

The relationship between peons and their bosses depended exclusively on power relations. Laguna Ruiz defines these relations as dependent on paternalism, a system of subordination through the allegation of protection of the subordinate's best interests. Paternalism as a system of subordination reproduced strategies of employers' psychological and social domination. Subordination through paternalism was a form of psychological control over workers' minds and bodies; it encouraged people to conform to their exploitation and thus prevented revolts and other forms of resistance.

Ethnic discrimination was fundamental to sustaining systems of power over the peons. Since the time of their birth in the haciendas, peons were inculcated in the idea of their inferiority and the superiority of white and mestizo hacendados (Lagunas-Ruiz, 2011). Although these paternalistic systems of power were important in sustaining the exploitation of indigenous laborers, violent coercion was also employed. Peons were physically and violently exploited as well as psychologically exploited.

Friedrich Katz (1976), in his essay about the work conditions during the Porfirian period, highlights the physical labor exploitation and violent conditions workers endured in southern Mexican haciendas. According to Katz, between 1877 and 1910 the production of rubber, coffee, tobacco, sisal, and sugar increased. The southern agricultural producers had different ways to incrementally increase their production: 1) using machinery; 2) using contract labor; 3) changing the way of exploiting workers of the hacienda, and 4) increasing the number of workers that came from indigenous

communities. Many workers that were hired came from the "enganche system, with many of them being 'kidnapped' (30). Some men were kidnapped when they were ill and others after being intoxicated with "pulque" (an alcoholic beverage) provided by the *enganchaderos*. These men were taken to the haciendas and sold for hundreds of pesos. They were treated harshly there. For example, they were tied in barbwire in atrocious sanitary conditions while working in the haciendas. Many developed health infections. According to John Kenneth Turner (cited in Katz 1976, 32), the average duration of life of an "enganchado," or kidnapped worker, was about a year after their kidnapping.

THE PORFIRIATO: MODERNITY THROUGH RACIST DISCOURSES AND VIOLENCE

Porfirio Díaz's rule over Mexico is crucial in understanding the expansion of capitalism and the exploitation of indigenous people**.** When Porfirio Díaz came to power in 1876, the Mexican nation was promised peace, stability of government, material gain, and prosperity (Cumberland, 1952). In 1876, Mexico was not a prosperous nation. The nation was politically divided and the class structure continued the colonial legacy of inequality, regardless of the fact that that President Benito Juárez had instituted political reforms to control the power of the Oligarchy (Cumberland, 1952). After Juárez died, Díaz dismantled his predecessor's reforms. During the Porfirian era, at the top of the social and wealth structure were the criollos[4] ("pure" unmixed European), followed by the mestizos (those of mixed "Indian" and Spanish blood), and then at the bottom of the social structure, the native people (Cumberland, 1952).

[4] According to Cumberland these were divided by three groups: 1) the non-Spanish criollo who emerged from the War of Reform (1858-61) and the Maximilian Period. 2) the old criollo of Spanish descent. 3) The clerical criollo.

The ethnic class structuring was crucial in the establishment of the Porfirian era. The state promised a bureaucracy that would hire 70 percent of the mestizo middle class in positions such as chief minister, state governor, and superior officer in the army. The criollos, on the other hand, looked up to Europe as their country of origin, even though they were born in Mexico. Díaz promised criollos economic prosperity. For example, hacendados (older criollos) were promised to enjoy their profit. Clerical criollos were not enforced the Laws of Reform. These laws were established during the Benito Juárez presidency in the 1850s to help create a liberal state. Meanwhile, Porfirio Díaz, through different methods (including violence), subordinated indigenous communities, which at that time comprised 35% of the Mexican population (Cumberland).

Diaz did not give any consideration to the native population. He believed in the racist, white supremacist doctrine that "the indian was a hindrance to progress and should be extirpated or kept in perpetual subjugation" (Cumberland, 6). Mexican American scholar Nicole Guidotti-Hernández provides a sophisticated analysis of the genocidal projects committed during the Porfirian regime, including attacks on the Yaqui nation living in the Sonora-Arizona borderlands in order to mark the path for the development of railroad projects and farming companies. In her book *Unspeakable Violence* (2011), Guidotti-Hernández analyses the Yaqui removal policy instituted by Porfirio Díaz on November 18, 1886. The Yaqui people were tortured and lynched and endured forced deportations to Yucatán. Díaz's military murdered Cajeme, a Yaqui territorial governor who defended the Yaquis' autonomy against the Mexican government and U.S. investors. On April 21, 1887, the Mexican military apprehended and displayed Cajeme's injured

body through the pueblos until they executed him by firing squad at Cocorit in April 25th of the same year. Cajeme's body was used as a tool of intimidation against the Yaqui rebellions that threatened the Mexican state's projects. However, the execution of Cajeme provoked more rebellions against the state. According to Guidotti-Hernández:

> Cajeme's dead body symbolized the triumph of modernity over barbarian forces, the overlaying of the Mexican nation-state onto the Yaqui nation, rendering it dead like their leader. Instead of a lament, the displaying of the body of Cajeme was a punishment and warning to Yaqui Indians to abandon their misplaced alliances, a reminder of how nation-state formation was and continues to be predicated upon violence against indigenous bodies**.** (186)

The dead body of Cajeme became the symbol of the triumph of Mexican modernity. It is an example of how Mexican state violence is implemented upon the indigenous body under racist discourses. It is also a symbol of colonization by the Mexican state in acquiring Yaqui territory. Colonialism as a project has an ideological emphasis; it justifies violence over people's bodies. The impact of colonial ideologies was seen in the United States' doctrine of Manifest Destiny, in which the expansion of progress and democracy justified settler colonialism. It was also demonstrated when African Slavery was justified through ideologies of racial superiority. The Mexican state implemented colonial ideologies during the Porfirian era by treating indigenous peoples as inferior barbarians who must be taught to accept modernity, constituted as economic and social restructuring. The colonial ideology was crucial in the development of state hegemony.

The Porfirian period marked the economic restructuring of Mexico as a whole. In this period, the country depended on foreign trade. It was to follow a path towards a "modern Mexico." Exports and imports increased ten times. Smelting of precious and semi precious metals increased fourfold. The production of petroleum became the major state industry. Sugar mills increased in southern states, and many other industries began. Throughout this process, foreign investment was key in securing material development. Díaz fostered foreign investment industries by granting advantageous deals to foreign investors, many of who were European and United States citizens (Cumberland 1952). The anarchist newspaper *Regeneración,* edited by Ricardo and Enrique Flores Magón, denounced Porfirian developmental projects, as did political activist scholars Esteban Calderón and Wistano L. Orozco. These intellectuals argued that Porfirian land grant policies reduced agricultural production, as the land was fraudulently taken from the *campesinos* (peasants) and granted to American and Mexican hacendados who no longer used it to grow crops. By 1905, sixty-nine million acres had been given to American investors (Menchaca 2011). This industrialization strengthened the social hierarchies of Mexican society.

Peasants lost their lands to American and Mexican investors. Their lands had already been at stake, as the haciendas became increasingly important institutions. Indigenous people in rural areas were disadvantaged. They had become the main source of labor. Development programs for Mexicans had resulted in failure because of high unemployment and higher food costs (Menchaca, 2011). Furthermore, by successive decrees from 1889 to 1890, Diaz decreed that indigenous community lands be parceled

and privatized**.** Like many other peasants, indigenous people didn't have access to land of their own and were forced to seek employment in the haciendas (Cumberland 1952).

Many lands in indigenous communities were conceded to foreign investors. For instance, the Díaz regime granted the oil reserves in the Maya region to investors for the purpose of establishing an oil-drilling infrastructure (Menchaca 2011). Many of these land grants displaced indigenous communities such as the Yaqui and Maya people. Many villagers were forced to sell their land when outsiders gained control of their water and when individuals and companies were granted permission to purchase enormous amounts of indigenous land. Over two and a quarter million acres of indigenous land passed to hacendados, not taking into account untold million of acres of previously appropriated by the Mexican government also granted. These appropriations were a disaster for indigenous communities, yet led to the enormous growth of the hacienda families, which by 1910 owned over 85 per cent of the land in Mexico (Cumberland 1952). With no access to land, indigenous people were forced to work in the haciendas and to endure harsh working conditions.

THE MIXTEC REGION: THE MEXICAN FACTORY OF PEONS

The power relations and economic influence of the hacienda system, as it relates to the mass migration from the Ñuu Savi region, expanded in post-independence Mexico through reforms and new social norms. According to Stephen (2002), Ñuu Savi communities have struggled to maintain their lands since the colonial period. For instance, during the Spanish colonial period, the Mixtec region was one of the many regions in Oaxaca that still held land grants. These rights to land were defended in

Spanish court and the Spanish "crown insisted on respecting the rights of indigenous rulers and their descendants" (Stephen, 221). Indigenous people, in what is now the state of Oaxaca, were able to retain their land through the Spanish courts. They launched legal challenges over land and took Spaniards, caciques, and neighboring communities to court. Interestingly, Stephen argues that most of the land litigation cases were not between the Spanish and indigenous people, but rather between indigenous communities and caciques. As I will demonstrate later in the paper, conflicts over land between indigenous communities are still common, inducing violence and forced displacement. During the colonial period, however, in Oaxaca, indigenous groups had more communal and personal land than most people had in other regions of Mexico (Taylor in Stephen 2002). The emergence of haciendas in Oaxaca was small. Indigenous peoples still controlled the land (Stephen 2002). However, the post-independence Mexican State signified the intensification of oppression of indigenous communities.

The early post independence period of Mexico is important to understand the beginning of forced displacement. The emergence of the Mexican State after 1821 submitted indigenous peoples to a national state project that aspired to make Mexico into a modern nation. This vision excluded indigenous people (Stephen 2002). By 1826, the Agrarian Law in the state of Oaxaca "removed the right of community officials to represent their communities in court" (Stephen 2002, 224). Indigenous peoples lost their political voice within the courtrooms[5]. Stephen states:

[5] Ñuu Savi continued to fight for their legal rights after Mexican independence in defense of their land. For instance, the Ñuu Savi and other indigenous peoples such as Triqui and

> The Liberal Reforms that began after the independence and that deprived indigenous peoples of control over their culture, resources, and patterns of economic development. (225)

Liberal reforms enacted by the Mexican state became the foundation of the displacement process the Ñuu Savi experienced in the mid-19th century. In 1856, under the presidency of Benito Juárez, the Ley Lerdo was implemented, which terminated the control tribal systems exerted over land. This reform meant that only individuals could own land, which is one of the major principles of liberal democracies. In Oaxaca, the Ley Lerdo had complex effects; in the Oaxaca valley for instance, the reforms were established when indigenous individuals already had private land holdings. In other areas, however, land was extensively privatized during the Porfirian period between 1880-1910 (Stephen 2002). The case of the Mixtec region of Oaxaca during the liberal reforms was influenced by various factors.

Guadalupe Vargas Montero (1992) highlights important factors that have influenced mass migration from the Ñuu Savi region in post-independence Mexico: 1) the increase of population between 1856-1882, which doubled and thus the increased for need of natural resources that was scarce; 2) the scarce labor available on productive land owned by the businesses of other states; 3) the ecological degradation, which made previously sustainable crops untenable.

Amuzgos fought against taxes imposed by Mexican President Antonio López de Santa Ana (Stephen 2002).

The Porfirian era was a crucial period for Ñuu Savi migration. During this period, the number of haciendas more than doubled in Oaxaca. The Porfirian period created an economic expansion based on foreign capital, especially in agriculture and mining, that influenced the growth of haciendas and labor capital and thus necessitated the movement of people to fit these labor demands. The major industries in Oaxaca were mining and hacienda plantations, located in areas of Cañada, Tuxtepec, Choapam, Istmo, and the coast. For example, in la Cañada located in the north of the state, there were coffee, sugar, and tobacco plantations. In the southern part of Oaxaca, there were coffee and cotton plantations (Vargas Montero 1992).

By the late nineteenth century, Ñuu Savi already regularly migrated from small communities to main from the trade centers and communication centers (Tlaxiaco, Huajuapan, Teposcolula, Nochixtlan, Coixtlahuaca, Yanhuitlan, and Tamazulapan) for harvests. During these years, plantations owners sent Dutch and English *enganchadores* to the Mixteca region (Vargas Montero 1992).

As industrial development (the railroad) expanded industrial production and increased the communication the Mexican nation, the labor force increased in other regions of the country. Ñuu Savi migration began to expand beyond local state plantations to agricultural industries in other Mexican states. As these industries increased, so did the exploitation of Ñuu Savi people, who were landless and often depended on the national and international market prices of their self-sustaining local harvest. These economic policies, along with colonial degradation of the land, made Ñuu Savi migration an act of survival**.** Therefore, since the European settlement, the Mixtec

region has become the most important “factory” for the “production of peons” in the Mexican nation (Vargas Montero 2002).

Chapter 4:

Colonialism in Post-Revolutionary Mexico: The Agrarian Reforms and the Development of Rural Capitalism

In 1917, Mexico drafted a new constitution that promised rights to Mexican citizens and nationalized land under article 27. The constitution of 1917 was drafted based on radical ideologies granting communal land to *campesinos* and indigenous people. However, within the Constitution there was a rule made in 1915 to return lands meant that indigenous communities must prove, with colonial documents, that the land they claimed belonged to them. I study the 1915 rule of the Mexican constitution. Even though is part of a revolutionary constitution, the rule reinforces colonial law under the new nation state's commandments. The Mexican nation state thus continued to exercise coloniality[6] when implementing laws pertaining to indigenous communities. The implementation of these land reforms, by dismantling haciendas, provoked the evolution of new forms of agrarian capitalism and influenced continual Ñuu Savi displacement.

THE AGRARIAN REFORM: A BRIEF HISTORY OF MEXICAN AGRARIAN CAPITALISM

In 1915, president Venustiano Carranza established the 6 of January rule known as "land for the community." This meant that communal land should be redistributed to the communities that have been displaced. The rule established the recognition for communal lands that were granted by the Spanish crown in colonial times. The rule gave rights to social collectives such as communities, congregations, and villages that could

[6] Coloniality refers to the continuity of colonial domination through social classifications such as race. *See Anibal Quijano 2000, page 215.*

prove ancestral property, and those peasants who could not prove said ancestral properties could still be granted territory by the state. This meant two things: 1) that the state would give back colonial properties to communities; and 2) for those that could not prove colonial property, the state would grant land under its own conditions based on quantity and location. The communities were asked to prove they had the right to their colonial properties and to prove their displacement from said properties. This 1915 rule became part of the Mexican Constitution of 1917 and was fully executed until 1920 under the presidency of Alvaro Obregón (Gomez Santana, 2009). In 1916, 1,246 hectares were given to 182 peasants; by 1917, 5,637 hectares had been given to 1,537 peasants. By 1918 and 1919, about 63,308 and 40,275 hectares were distributed to 30,039 applicants; and by 1920; about 6,433 hectares were given to 15,566 applicants (Gutelman, 1979). The 1915 rule only benefited to communities that were able to "prove" their land holdings and the raiding of their property. These caused complications for communities that couldn't "prove" the ownership of their land and caused violence between communities, a topic that I will discuss more later in the paper.

One of the greatest successes of the Mexican revolution of 1910 was the agrarian reform, yet it came with some setback for indigenous communities. Then-President Carranza tried to stop the agrarian reforms, but the state and Mexican oligarchy were forced to give up to the demands of post-revolutionary Mexican peasants. The state oligarchy exercised power through bureaucratic means to deliberate the land grant process. For example, the oligarchic state imposed a provisional endowment system that hindered the land seizure and distribution process. The provisions included slowing

procedures and requiring the approval of the National Agrarian Commission, which could cancel the allocation of land titles. Even though the provisional endowment system was eliminated, only 50,000 peasants were granted land out of millions who fought in the revolution (Gutelman, 1979).

According to Stephen (2002), between 1925 and 1920, there were 123 petitions for land, of which 575 were from the central valley, and people from the Ñuu Savi region did not make petitions until much later. The Oaxaca state constitution did not changed to the terms of the Mexican national constitution of 1917 until 1922. Many of the petitions for communal lands were rejected by the hacendados who were heads of the agrarian chambers of commerce in Oaxaca (Stephen 2002). Oaxaca did not fully incorporated national laws until the Lázaro Cárdenas administration.

LAZARO CARDENAS: LAND REFORM AND THE DEVELOPMENT OF RURAL CAPITALISM

Another important period of Mexican Land reform is the presidency of Lázaro Cárdenas, considered the most "generous" president for his approach to agrarian reform. Stephen (2002) writes that during the presidency of Lázaro Cárdenas (1934-1940), the number of land petitions to the state increased dramatically. For instance, after the Mexican revolution, the National Agrarian Commission received 586 petitions for land. By 1934, 114 communities had received 108,213 hectares of land. And within the 1935-1940 period, 432,869 hectares were redistributed to 256 communities. Lázaro Cárdenas implemented the social reforms that the Constitution of 1917 required. However, Michel Gutelman (1979) refers to the Lázaro Cárdenas presidency as the preparation for the development of agricultural capitalism. Lázaro Cárdenas envisioned the ejidos, collective

forms of government over land, to produce for local markets. However, this vision only benefited local capitalists who hoped to increase and expand the market. Cardenismo, as the period is often called, was a project elaborated by the Partido Nacional Revolucionario (PNR), which would later become today's Institutional Revolutionary Party (PRI).

When Lázaro Cárdenas came into power, the goal of his presidency was to end agrarian conflicts. Cárdenas made structural institutional changes. He institutionalized the radical struggle against estates and the mass distribution of land to the peasantry. For example, the National Agrarian Commission was modified to depend fully on the government. The budget for the institution more than tripled and the land redistribution process was modified to be simpler for peasants. Cárdenas, unlike his predecessors, believed that dismantling feudal forms of land ownership was an indispensable project for the development of capitalism. He believed in the viability of the ejido system, which, according to him, would be the essential base for the domestic market; it would feed ejidatarios and their families (in contrary to the anterior exploitation under miserable wages) and would later on become the basis for the economic prosperity of the country (Gutelman, 1979).

The ejido system is a form of government based in communality and collective forms of governmental rule over land. The importance of ejidos was the communal base. Members of a community ruled and took care of the place where they lived. Moreover, the ejidos were protected from economic risks by the creation of an ejido bank that

granted financial support to the ejidatarios instead of plantations owners. The state was the paternalistic moderator and controller of the ejidos (Gutelman, 1979).

In 1934, Cárdenas implemented a *código agrario*, an agrarian law that permitted peasants that worked in haciendas to claim lands. In the north of Mexico, however, the state did not want end the plantation system, which enabled mass production of agricultural commodities. Thus, the state implemented a clause stating that peons could not ask for the lands where they were hired to work (Gutelman,1979). This clause ensured the maintenance of plantation system of production. A "plantation-like" system if production was maintained by small land holdings despite the confiscation of plantations.

When plantations were confiscated, they became small holdings (in Spanish, *pequeñas explotaciones inalienables*, or "inalienable small farms"), which had a land holding of 150 hectares. Inalienable small farms increased from 610,000 in 1930 to 1,211,000 in 1940. Landowners sold their estates in fractions and/or bought fractions of inalienable small farms in different locations of Mexico (Gutelman, 1979). Therefore, the Cardenista period of agrarian reform was important in establishing different forms of capitalist production and exploitation while appeasing the rural population. Capitalist production remained active through the multiple acquisitions of small farms; small farms eventually became part of larger corporations. These forms of capitalist structure were crucial in following years when agriculture became industrialized and increased the need for indigenous land, labor, and migration – in short, the displacement of indigenous peoples.

Chapter 5:

State Colonialism in the Mixteca Region: The Colonial Machinery of Mexican Agrarian Reform and Ñuu Savi Conceptualizations of Land

In the following section, I describe how land is conceptualized by the Ñuu Savi people. I also analyze how the state, through the implementation of policies such as agrarian reform, influenced violence in the Ñuu Savi (Mixtec) region. First and foremost, there is a necessity to explain the concepts and relationships between land and territory as forms of socialization, power, and beliefs. It is necessary to understand how hierarchies, inequality, violence, and power were manipulated and implemented within and outside of the Mixtec region to systematically influence the forced displacement of the Ñuu Savi people. *El derecho a no migrar*, the right to stay home, is connected to the discussions of land, territory and territoriality. People are forced to leave the land that has shaped their ordinary lives and political, economic, and social systems. Yet, the state has systematically devastated land, territory, and territoriality through agrarian policies. These policies were meant to incorporate indigenous communities into the hegemony of the nation state. However, while doing so, it marginalized indigenous peoples.

I previously argued the state's colonial social norms have caused the forced displacement of indigenous people. Economic and political mechanisms emerged from the colonial period and influenced the creation and maintenance of nation-state power over land, bodies, and ideas. The Ley Lerdo of 1856, for instance, promoted the intensification of state ideals of individualism and private property, ideals that were

contested by communal land holdings of indigenous communities. Moreover, the 1915 rule under Carranza stated that one of the conditions for redistributing land was to prove landholding with colonial documents. The rule dictated that indigenous communities would be returned or given lands that Spanish invaders and the Mexican state had historically taken away. The significance of this rule is the affirmation of colonialism through state law implementation. Indigenous communities have been detached from their land since colonial period. I refer to these processes of state regulation of indigenous communities as part of colonial machinery in which control and power is implemented over peoples and community life.

Throughout history, the state lacked understanding of (or did not cared to take into account) what land, territory, and community meant to people to whom it distributed lands. The Mexican State created laws, such as the Ley Lerdo and the agrarian reforms, reflecting colonial and capitalist understandings of land and property. These state laws were complex because while promoting justice and equality, they also implements and imposed colonial power and reinforced racial and patriarchal hierarchies over "Mexican" people and indigenous communities.

Agrarian reform took different turns for indigenous communities. The state reinforced power based on its own capitalist ideologies of land and its significance, rather than understanding indigenous conceptualizations of land. Land for certain indigenous communities might be a part of the cosmos and connect to epistemology, culture, social relationships and institutions. Land, for many cultures and societies, goes beyond private property and is a form of being part of and understanding the world.

LAND, TERRITORY, AND TERRITORIALITY

Oscar Mauricio Espinosa Henao (2016) explains the theoretical and methodological implications of land, territory, and territoriality. Based on the ideas of modernity and the state, land is seen primarily as a figure of domination based on its production and possession. This means that "land," under capitalism, is a "commodity," something that is possessed, owned, and bought. Therefore, land, through its production and possession, is regulated as merchandise to create profit and serve interests of agrarian, livestock, environmental, and forest political actors. Land as "property" is something static, quantifiable, with no meaning except the price and profit of its natural resources. Conceptions of land are normed by state laws and political systems.

It is important to think about land beyond a commodity. Land can be part of the existence or creation of social relationships. This means that land, for peasants and indigenous societies, is more than merchandise. It represents human relations that are structured through hierarchies and social control. The rights to land do not sum up to legal property ownership; they involve a variety of rights of different forms (Espinosa Henao, 2016).

Territory is a social construction based on bio-ecological surroundings. It is an important part of human experience, social interaction and collective constructions. This means that territory is defined by social and collective interactions. For example, the state regularizes territory through its administrative politics and through governmental definitions that seek to manage units of control and power (Espinosa Henao, 2016). It is in this context that territory is positioned as legal forms of possession. For instance, laws

that confirm geographical limitations define territory. Borders and boundaries are then constructed where territory is marked.

In addition, territoriality, in Spanish *territorialidad*, is a concept referring to the control of determined geographic space conditioned by political power and spatial expression (Montañes in Espinosa Henao, 2016). Power relations and forms of control hold the political strength fundamental to legitimizing territory. Whereas territory refers to the exercise of power through law, *territorialidad* refers to the legitimization of the implementation of power. For example, in claiming territory, communities also claim the right to establish the power needed to protect it, control it, and also reaffirm their social structure. Territoriality is practiced through naming, using, and traveling. The positioning of homes, economy, work forms, cultural and religious festivities, social relations, authority, and worldview are all components of territoriality (Espinosa Henao, 2016). The mountains, for instance, according to the stories of grandparents and the generations before, have a spirit, Tabayuku – the spirit that takes from lost souls between the trees. The spirit shapes the socialization of the community in relation to the land. Land and the things that inhabit it have meaning, such as the trees and rivers. As children, we are told not to cry in *el monte*, or in the mountains, because many spirits walk there. Earth beings then become part of the political and social constructions of land. All of this influences the socialization of the Ñuu Savi.

Espinosa Henao argues that in an indigenous rural community, there is a profound relation with land, territory, and territorialidad, and there are resources that the state does not comprehend. The Mexican state has denied the right of territoriality in

indigenous communities in the judicial order. Through state reforms on land such as agrarian reform, indigenous communities are denied their autonomy and control over their land, territory, and territoriality.

THE ÑUU SAVI AND THE EFFECTS OF THE AGRARIAN REFORM

The Ñuu Savi region is geographically located in the southern part of the Mexican nation and is crossed by three governmental states: Oaxaca, Guerrero, and Puebla. The region is composed of 179 municipalities: 13 located in the state of Guerrero, 10 in Puebla, and 156 in the eastern part of the Oaxaca. I will particularly focus on the part of the 187,589km^2 Ñuu Savi region in the State of Oaxaca. For the Ñuu Savi communities, this territory is fundamental in defining collective identity and symbolic relationships. For instance, in Ñuu Savi communities, there are sacred and mythical places, caves and rivers, intertwined with the symbolization of territory and the cultural identity of the people. Therefore, when referring to territory in indigenous communities we are referring to more than geographical locations. When indigenous communities claim the rights to their land, they refer to the right to exercise power, control, and influence on the sociocultural forms around land (Lopez Barcenas, 2016).

In addition, there is distinction between agrarian collective ownership and indigenous collective ownership of land. Agrarian collective ownership imposed by the state often does not take into account the indigenous organization of life and sociocultural relationships of inhabitants to the land (Lopez Barcenas, 2016). That is to say, Mixtec communities have historically built socio-cultural, political, and economic relationships with the land they inhabit; these relationships have changed and taken different forms in

response to colonization and state administrative practices. Mixtec communities create evolving political socializations around land and territory. Lopez Barcenas defines these social and political relations as the cargo system, assemblies, and elder councils; economic relations such as *tequio* and *mano vuelta*; religious systems such as *mayordomías*; social *compadrazgo*; and culture, language and myths. The state however, through land grants, such as the agrarian reforms, makes sense of land and territory as patrimony rather than as territories where indigenous communities develop their lives and communities, exercise their power, and sustain cultural relationships with their land. Lopez Barcenas writes:

> Nada de esto se tomó en cuenta ni por los españoles ni por la clase criolla que asumió el poder cuando el país dejó de ser colonia española y se convirtió en país independiente, menos por los gobiernos emanados de la revoluciones a quienes correspondió cumplir las promesas de devolver las tierras a los campesinas. Todo esto aunado a la incapacidad del estado por hacer valer el estado de derecho, mezclado con los intereses de organizaciones políticas y del propio gobierno para administrar y hasta provocar los conflictos entre comunidades, porque eso les permite cierto control sobre ellas, da como resultado que el territorio Ñuu Savi o pueblo Mixteco sea considerado de alta explosividad. (36)

> None of this was taken into account by the Spanish nor the Criollo (direct descendants of spanish) class who assumed power when this country ceased to be

> a Spanish colony and became an independent country, not even by governments issued from the revolutions who promised to return land to peasants. This coupled with the inability of the state to enforce the rule of law, mixed with the interests of political organizations and the government itself to manage and even provoke conflicts between communities, because that allows them some control over them, resulting in Ñuu Savi territory being considered highly explosive (my translation).

Lopez Barcenas highlights relationships between indigenous communities and the nation state regarding land and territory. The colonial powers imposed to the Ñuu Savi – Spanish rule, Mexican nation-state, and post-revolutionary government – did not understand the territoriality of the Ñuu Savi. Their indigenous society and historical power structures have not being acknowledged nor considered crucial in regards to land and territory. This has caused tensions and conflicts within the Ñuu Savi communities that until today have profound effects. These conflicts have been the result of years of colonization, land dislocation, exploitation, and oppression. Land conflicts have caused local wars between communities. I grew up hearing about "la guerra del pueblo," the century old conflict of my community that has caused many deaths. One case happened when my mother was pregnant with me. She saw many community men shot by men of our neighboring town. My grandmother also remembers that when she was a kid in the 1930s, she had to flee the town when it was burned to the ground. My grandmother did not have a birth certificate because it was burned along with the houses of the

community. These violent events have caused instability in the Mixtec region so that many people have been forced to leave.

The agrarian conflicts of the Mixtec region in Oaxaca were constructed by the implementation of land reforms of the new revolutionary Mexican State. As I have demonstrated, these reforms acted as and were influenced by colonial political systems and social norms of the state. The implementation of land reforms as they pertain to the Ñuu Savi displacement signifies the inability of the state to protect indigenous citizens. The way land reforms were implemented in the Mixtec region was different than how they were implemented in the north of Mexico.

Chapter 6

Contra-reforma: Towards Mexico's Industrial Agriculture in the North

The Displacement of the Ñuu Savi was influenced by the capitalist expansion of agricultural industries in northern Mexico during the presidency of Miguel Alemán (1946-1952). Because of the historical expansion of industrial agriculture in the north**,** indigenous people from the south, such as the Ñuu Savi, were displaced from their lands through the *enganche* system. This system has historically maintained by social colonial norms such as racism and patriarchy. I analyze the "counter reforms" of the Mexican Constitution of 1917, especially article 27, as paving the way for capitalist industrial agriculture by the restoration of estates similar to the hacienda system. "Counter reforms" is a concept used by Michael Gutelman to describe the contradictory nature of the reformation of Article 27 for leaning towards the privatization of land and benefiting individual entrepreneurs rather than communities. Also, the counter reforms of Article 27 were the beginning of the Mexican revolution's failure to address the marginalized.[7] Moreover, as in the Porfiriato, the counter reforms led the way for Indigenous peoples' bodies to be constructed as agricultural laborers. The Mixteca region continued to be the "Mexican Factory of Peons" of Mexico. In this section, I analyze the continuum of the commodification and dehumanization of indigenous peoples as workers for capitalist expansion.

[7] Article 27 was completely modified in 1992.

In southern Mexico, post-revolution agrarian reforms intensified Ñuu Savi communities' conflicts. The Mexican presidents that followed Lázaro Cárdenas sought to industrialize Mexican agriculture by restructuring the clauses of agrarian reform. Michael Gutelman (1979)'s *contra-reforma*, counter reform, conceptualizes this period as a restructuring of Cárdenas' agrarian reforms to fit to capitalist industrialization of the agricultural sector. President Miguel Alemán (1946-1952), reinforced the private sector of capitalist agriculture by restructuring the agrarian reforms taking place against its "peasant core" and focusing on the industrialization of the ejido system (Gutelman, 1979). The legal actions were taken upon the constitution making regulations to Article 27 of the constitution. In paragraph XV:

> Se considerará asimismo, como pequeña propiedad, las superficies que no excedan de doscientas hectareas en terrenos de temporal o de agostadero susceptibles de cultivo; de ciento cincuenta cuando las tierras se dediquen al cultivo de algodón, si reciben riego de avenida fluvial o por bombeo; de trescientas, en explotación, cuando se destinen al cultivo de plátano, caña de azucar, café, henequen, hule, cocotero, vid, olivo, quina, vainilla, cacao, o árboles frutales. (Article 27 XV, in Gutelman, 116)

> Surfaces not exceeding two hundred hectares, on land or rangeland, are also considered as small holdings; one hundred fifty hectares when lands are dedicated to the cultivation of cotton, on irrigation or pumping river; three hundred hectares,

> when intended for the cultivation of bananas, sugarcane, coffee, sisal, rubber, coconut, grapes, olives, cinchona, vanilla, cocoa, or fruit trees. (Article 27 XV in Gutelman, 116)

The moderations to paragraph XV of article 27 had major consequences for the industrialization of agricultural properties. The paragraph redefined *pequeña propiedad*, small land holdings. Small land holdings were now surfaces of 300 hectares, as opposed to the 150 hectares limit imposed in the Lázaro Cárdenas period. The 300 hectares were now destined to be for the production of "bananas, sugarcane, coffee, sisal, rubber, coconut, grapes, olives, cinchona, vanilla, cocoa, or fruit trees" (Gutelman, 115**)**. Properties that produced these crops had the right for bigger land holdings despite being qualified as "small land holdings." Producers of such crops acquired more Ejido land. "These counter reforms favored the capitalist expansion and the restoration of latifundios," important plantations or haciendas (Gutelman, 116). This also benefited northern plantation properties with vast irrigation systems for the production of agricultural crops; they were granted more industrial technology to enable mass production. In addition, the counter reforms strengthened the power of latifundio owners with the regulation of paragraph XIV of article 27:

> Los dueños o poseedores de predios Agrícolas o ganaderos, en explotación, a los que se haya expedido, o en el futuro se expida, certificado de inafectividad,

> podrán remover el juicio de amparo contra la privación o afectación agraria ilegales de sus tierras o aguas. (Gutelman, 116)
>
> The owners or possessors of agricultural land and livestock in operation, issued or in the future be issued a certificate of ineffectiveness, may remove the injunction against deprivation or illegal impairment agricultural from their lands or waters. (Gutelman, 116)

This regulation granted agricultural producers the legal right to not be deprived from their land**;** the state cannot nationalize their private land holdings. These directly benefitted large producers, especially agricultural producers who after this regulation claimed their hacienda land back (Gutelman, 1979). This regulation and that of paragraph XV permitted many landowners to be granted state protection and expansion of their property.

Alemán's counter reforms also paved the way for foreign capital investments in northern Mexico. The counter reforms increased capitalist expansion, primarily influencing the northern region of Mexico. United States investors became interested in Mexican industrial agriculture, particularly the northern agricultural properties that benefited directly from Alemán's regulations **(**Gutelman, 1979). These U.S. investors expanded the production of coffee, agave, and other commodities in northern Mexico.

The need for laborers increased. By 1960, agricultural industries hired more than 660,000 laborers, including former ejidatarios, "semi-proletarians," or farm workers

(Gutelman, 1979). Many of the workers were indigenous people who had been struggling in the south of Mexico because of economic and agrarian crises. The companies of the north sought more workers from the south, especially indigenous workers. Indigenous bodies continued to be cheap labor commodities. Therefore, they relied on Porfirian methods to acquire laborers, such as the *enganche* system of seducing, manipulating, and literally "capturing" workers to labor in agricultural fields.

LABOR INTERMEDIARIES: ENGANCHADORES, MIGRATION, AND LABOR

Throughout my review of the hacienda system, the Porfirian period and the agricultural industries in the first half of the 20th century, I introduced the enganche system. Employers used this system to hire laborers**.** *Engachadore*s (often called *capitanes* and *mayordomos*), also known as brokers, are intermediaries or labor contractors, most of them men, who work for industrial farm owners. The work of e*nganchadores* goes beyond being "intermediaries" between employers and employees. They are crucial part of a colonial mechanism of acquiring bodies to work. *Enganchadores,* in the context of Mexican horticulture, have historically being crucial in hiring indigenous migrant workers and introducing them to the community where the farm is located. These *capitanes* are in charge of transporting workers from their community of origin to the place of work; accommodating them; organizing them in the workplace; providing transportation; and paying them (Sánchez Saldaña, 2006).

Intermediaries become crucial in a stratified society like Mexico. In the community of settlement of migrant workers, the locals who reinforce cultural, social, and linguistic barriers for indigenous workers often coin them as "outsiders." Thus,

enganchadores (*capitanes*) also exercise a vast amount of power over indigenous migrant workers because workers are dependent on *enganchadores* to help them navigate Spanish speaking spaces and places.

Kim Sanchez Saldaña (2006) studied intermediaries in the production of beans in the Mexican state of Morelos. The bean crop depended on industrial modes of production in irrigation systems in the valley of Cautla in the community of Tenextepango. The production of beans depends on the manual labor of indigenous peoples from the states of Oaxaca and Guerrero, many of them Ñuu Savi. Sanchez Saldaña focuses on the social, cultural and economic relations of intermediaries and indigenous laborers. She argues that these intermediaries are crucial in inflecting the forced displacement of migrant indigenous workers by becoming the major influence on people in the places of origin and the places of work. Considering that most of the laborers are indigenous people and many of the employees are mestizo, ethnic and race factors are important in analyzing the complexity of the work of intermediaries in negotiating labor functions.

Enganchadores (or *capitanes*) benefit from the social stratification of the labor force of the industrial agriculture in Mexico**.** *Enganchadore*s implemented (and still do) power often by navigating spaces of the dominant Mexican mestizo society and indigenous communities. If an *enganchadero (capitan, mayordomo)* were an indigenous person, this person would navigate between speaking Spanish and that person's indigenous language. On the other hand, if the *enganchadero* is a male benefiting from a capitalist patriarchal system, it is most likely he will exercise his masculinity and male

dominance over the woman's body he hires to work. The power of the *enganchadero* is a power constructed by social stratification and often privilege and oppression through systems like patriarchy, sexism, and racism. Therefore, *enganchadores* are crucial in understanding the displacement of indigenous people and the development of rural capitalism.

It is important to link the *enganchador* system to forced migration. This system exemplifies how the origins of the movement of people emerged through a process of seduction and persuasion by no means voluntary. The migration process is linked to the unequal and structural economic and political disposition of land, which causes agrarian conflicts in the Ñuu Savi region. Moreover, the *enganche* system entails power relations between employers and employees linked to social hierarchies of race and language. How will an indigenous person living in the Ñuu Savi region respond to an *enganchero* who has the sole purpose of taking him/her away? There are many social and economic contexts that can influence a person's decision to move.

The *enganche* system is also a process that tells us much about the hegemony of Mexican society. Many of these *enganchaderos* came from the industrialized north of Mexico to the economically devastated and socially neglected south to look for workers in a state of vulnerability. There is a binary power dynamic strengthened by social structures throughout Mexico. Furthermore, the *enganche* system is a strategic process of capitalist production, which maintains itself through racial and gender inequality. This process shares some traits with the Atlantic slave trade: people are captured from their

place of origin and expected to labor and be controlled by social and political norms. The *enganche* system therefore is key method of forced displacement of indigenous peoples.

Chapter 7: Conclusion

Throughout this paper, I have demonstrated how Mexican State hegemony has historically contributed to Ñuu Savi forced displacement. Instead of analyzing the neo-liberal turn of Mexico as the primary cause of Ñuu Savi migration, I argue that displacement of indigenous people was constructed by Mexico's colonial history in relation to indigenous communities. It is crucial to look back at Mexican State history when indigenous migrants have claimed the right to stay home, the right to live in their land with their community. This right has been negated to displaced indigenous peoples throughout history.

The displacement of indigenous people is structural. It is motivated by colonial social norms such as racism and was also influenced by the political economy of the hegemonic Mexican state as it moved towards liberal democracy and modernity. I reviewed the Porfirian period, when indigenous labor was used in *haciendas* for the economic expansion of the nation state. Indigenous laborers in haciendas had been displaced from their land since the colonial period and through liberal policies, were reconstructed as "Mexican citizens."

This complex state colonial process influenced micro-level systems of labor, such as the *enganche* system, that made Mixtec region into what Guadalupe Vargas Montero (1992) terms "the Mexican Factory of Peons." The Mixtec region became a racialized place to suit the Mexican state's labor demands – a place in which Ñuu Savi people became disposable bodies and labor for capitalist expansion.

I also reviewed the failure of Mexican Revolution. I analyzed the rule of 1915, as it was adapted to the Mexican Constitution of 1917. The new constitution promised rights to Mexican citizens and nationalized land under article 27. However, the 1915 rule was meant to return lands to indigenous communities that could prove, with colonial documents, that they deserved their lands. The 1915 rule reinforced colonial law and documents under the nation state commandments. Thus the Mexican nation state exercised, and continues to exercise, colonial legislature when implementing laws pertaining to indigenous communities.

I also explored how *el derecho a no migrar*, the right to stay home, is connected to conceptualizations of land, territory and territoriality. The state has systematically devastated land, territory, and territoriality through agrarian policies. These colonial policies were a way to incorporate indigenous communities into the hegemonic Mexican nation state. The state conceptualizations of land, as commodity or property, led to agrarian conflicts that induced violence and death in the Mixtec region.

In addition, the implementation of these land reforms by dismantling haciendas provoked the evolution of new form of agrarian capitalism, which conflicted with indigenous societies' perceptions of land and influenced continual Ñuu Savi displacement. The land reforms solidified agrarian capitalism's dependency on the exploitation of indigenous labor. I analyze the "counter reforms" to the Mexican Constitution of 1917, especially article 27, as paving the way for capitalist industrial agriculture by means of the restoration of estates similar to the hacienda system. As in the Porfiriato, the Mixtec region continued to be the "Mexican Factory of Peons" of Mexico.

The Mexican State has failed to protect its indigenous citizens. It has constructed their forced displacement throughout history by means of colonial policies and social norms. As indigenous peoples construct our future in the United States, it is important to acknowledge that history and hold the Mexican state accountable. It is important to build a future beyond state policies and nationalisms, a future where we as indigenous people define our land, identity, and collective history. We have migrated because of colonial processes, but we should dream to continue building our communities in confrontation to the politics of forced displacement.

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